

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	CASE NO. 1:20-cr-358
	)	
Plaintiff,	)	JUDGE SARA LIOI
-vs-	)	
	)	
ROBERT D. McWILLIAMS,	)	<u>MOTION FOR LEAVE TO FILE MOTION</u>
	)	<u>FOR AUTHORIZATION FOR EXPERT ASSISTANCE</u>
Defendant	)	<u>EX PARTE AND UNDER SEAL</u>

Now comes the defendant herein, by and through the undersigned counsel and hereby respectfully requests this Honorable Court for an Order permitting him to file a Motion for appointment of a necessary defense expert *ex parte* and under seal pursuant to 18 U.S.C. § 3006(A)(e) and Chapter 3, §310, Guide to Judiciary Policy, Vol.7 Defender Services Part A, Guidelines for Administering the CJA and related statutes. That section provides:

§ 310.30 *Ex Parte* Applications

*Ex parte* applications for services other than counsel under 18 U.S.C. § 3006A(e) must be heard in camera, and must not be revealed without the consent of the defendant. The application must be placed under seal until the final disposition of the case in the trial court, subject to further order of the court. Maintaining the secrecy of the application prevents the possibility that an open hearing may cause defendants to reveal their defense. Appointed counsel may not be required to submit evidence of a prior attempt to enter into a stipulation with the U.S. attorney as a prerequisite to obtaining services under 18 U.S.C. § 3006A(e). The court may encourage counsel to enter into stipulations, in the interest of expedition and economy, without, however, disclosing the contents or otherwise compromising the secret nature of the *ex parte* application.

As grounds herefor the undersigned counsel submits that in his professional judgment it is necessary to employ an expert to assist the defense in order to render effective assistance herein. Further, it is anticipated that the services for said expert will likely exceed the waivable compensation

maximum of \$2,600.00. Filing *ex parte* and under seal is authorized by the foregoing guidelines to the judiciary and insures that defense will not be required to reveal confidential attorney-client information or defense strategy to the government.

**WHEREFORE**, based upon the foregoing the defendant respectfully requests that this honorable court Order that he may file his Motion for Authorization for Appointment of Expert assistance *ex parte* and under seal.

Respectfully submitted,

/s/ Robert A. Dixon  
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**CERTIFICATE OF SERVICE**

This document was filed via the ECF system for the U.S. District Court for the Northern District of Ohio and served upon all parties by operation of that system, this 28<sup>th</sup> day of December, 2020

/s/ Robert A. Dixon  
ROBERT A. DIXON  
Attorney for Defendant